

# United States Court of Appeals for the Fifth Circuit

United States Court of Appeals  
Fifth Circuit

**FILED**

October 25, 2024

Lyle W. Cayce  
Clerk

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No. 24-60395

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REPUBLICAN NATIONAL COMMITTEE; MISSISSIPPI REPUBLICAN  
PARTY; JAMES PERRY; MATTHEW LAMB,

*Plaintiffs—Appellants,*

*versus*

JUSTIN WETZEL, *in his official capacity as the clerk and registrar of the  
Circuit Court of Harrison County*; TONI JO DIAZ, *in their official capacities  
as members of the Harrison County Election Commission*; BECKY PAYNE, *in  
their official capacities as members of the Harrison County Election Commission*;  
BARBARA KIMBALL, *in their official capacities as members of the Harrison  
County Election Commission*; CHRISTENE BRICE, *in their official capacities  
as members of the Harrison County Election Commission*; CAROLYN  
HANDLER, *in their official capacities as members of the Harrison County  
Election Commission*; MICHAEL WATSON, *in his official capacity as the  
Secretary of State of Mississippi,*

*Defendants—Appellees,*

VET VOICE FOUNDATION; MISSISSIPPI ALLIANCE FOR RETIRED  
AMERICANS,

*Intervenor Defendants—Appellees,*

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LIBERTARIAN PARTY OF MISSISSIPPI,

*Plaintiff—Appellant,*

No. 24-60395

*versus*

JUSTIN WETZEL, *in his official capacity as the clerk and registrar of the Circuit Court of Harrison County*; TONI JO DIAZ *in their official capacities as members of the Harrison County Election Commission*; BECKY PAYNE, *in their official capacities as members of the Harrison County Election Commission*; BARBARA KIMBALL, *in their official capacities as members of the Harrison County Election Commission*; CRISTENE BRICE, *in their official capacities as members of the Harrison County Election Commission*; CAROLYN HANDLER, *IN THEIR OFFICIAL CAPACITIES AS MEMBERS OF THE HARRISON COUNTY ELECTION COMMISSION*; MICHAEL WATSON, *in his official capacity as the Secretary of State of Mississippi*,

*Defendants—Appellees.*

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Appeal from the United States District Court  
for the Southern District of Mississippi  
USDC No. 1:24-CV-25, USDC No. 1:24-CV-37

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Before HO, DUNCAN, and OLDHAM, *Circuit Judges*.

## J U D G M E N T

This cause was considered on the record on appeal and was argued by counsel.

IT IS ORDERED and ADJUDGED that the judgment of the District Court is REVERSED in part AND VACATED in part, and the cause is REMANDED to the District Court for further proceedings in accordance with the opinion of this Court.

IT IS FURTHER ORDERED that appellees pay to appellants the costs on appeal to be taxed by the Clerk of this Court.

No. 24-60395

The judgment or mandate of this court shall issue 7 days after the time to file a petition for rehearing expires, or 7 days after entry of an order denying a timely petition for panel rehearing, petition for rehearing en banc, or motion for stay of mandate, whichever is later. See Fed. R. App. P. 41(b). The court may shorten or extend the time by order. See 5th Cir. R. 41 I.O.P.



**Certified as a true copy and issued  
as the mandate on Mar 24, 2025**

Attest:

*Styl W. Cayce*

**Clerk, U.S. Court of Appeals, Fifth Circuit**